

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Intent; purpose. After the finding of the  
5 Illinois Supreme Court in *People v. Hauschild*, 226 Ill.2d 63  
6 (2007), regarding unconstitutionally disproportionate  
7 penalties, the General Assembly passed legislation that became  
8 Public Act 95-688. Among other things, Public Act 95-688  
9 amended Sections 33A-2 and 33A-3 of the Criminal Code of 1961  
10 with the intention of ensuring the validity of the enhanced  
11 penalty provisions of Section 18-2 of the Criminal Code of  
12 1961. However, in *People v. Coleman*, 399 Ill.App.3d 1150  
13 (2010), the Fourth District Appellate Court found that the  
14 enhanced penalty provisions of Section 18-2 of the Criminal  
15 Code of 1961 were void ab initio, notwithstanding Public Act  
16 95-688. This Act is an explicit reenactment of Section 18-2 of  
17 the Criminal Code of 1961.

18 Section 5. Section 18-2 of the Criminal Code of 1961 is  
19 reenacted as follows:

20 (720 ILCS 5/18-2) (from Ch. 38, par. 18-2)

21 Sec. 18-2. Armed robbery.

22 (a) A person commits armed robbery when he or she violates

1 Section 18-1; and

2 (1) he or she carries on or about his or her person or  
3 is otherwise armed with a dangerous weapon other than a  
4 firearm; or

5 (2) he or she carries on or about his or her person or  
6 is otherwise armed with a firearm; or

7 (3) he or she, during the commission of the offense,  
8 personally discharges a firearm; or

9 (4) he or she, during the commission of the offense,  
10 personally discharges a firearm that proximately causes  
11 great bodily harm, permanent disability, permanent  
12 disfigurement, or death to another person.

13 (b) Sentence.

14 Armed robbery in violation of subsection (a) (1) is a Class  
15 X felony. A violation of subsection (a) (2) is a Class X felony  
16 for which 15 years shall be added to the term of imprisonment  
17 imposed by the court. A violation of subsection (a) (3) is a  
18 Class X felony for which 20 years shall be added to the term of  
19 imprisonment imposed by the court. A violation of subsection  
20 (a) (4) is a Class X felony for which 25 years or up to a term of  
21 natural life shall be added to the term of imprisonment imposed  
22 by the court.

23 (Source: P.A. 91-404, eff. 1-1-00.)

24 Section 99. Effective date. This Act takes effect upon  
25 becoming law.